

MESSAGE NO: 9245202 MESSAGE DATE: 09/02/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-851

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2008 TO 01/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS BASED ON RECISSION OF ADM. REVIEW OF AD DUTY ORDER OF CERTAIN PRESERVED MUSHROOMS FROM CHINA PRODUCED BY FUJIAN YU XING (A-570-851-033)

MESSAGE NO: 9245202

DATE: 09 02 2009

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REFERENCE:

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CASES: A - 570 - 851

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PERIOD COVERED: 02 01 2008 TO 01 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS BASED ON RECISSION OF ADM.

REVIEW OF AD DUTY ORDER OF CERTAIN PRESERVED MUSHROOMS
FROM CHINA PRODUCED BY FUJIAN YU XING (A-570-851-033)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN PRESERVED MUSHROOMS FROM THE PEOPLE'S REPUBLIC OF CHINA, COVERING THE PERIOD 02/01/2008 THROUGH 01/31/2009, HAS BEEN RESCINDED FOR THE FIRM LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009 FOR THE FIRM LISTED BELOW AT THE CASH DEPOSIT RATE IN EFFECT AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRM:

FUJIAN YU XING FRUIT & VEGETABLE FOODSTUFF
DEVELOPMENT COMPANY CO., LTD. A-570-851-033

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF
ENTRIES OF SUBJECT MERCHANDISE FOR THE COMPANY REFERENCED ABOVE

DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009 OCCURRED WITH
THE PUBLICATION OF THE NOTICE OF PARTIAL RESCISSION OF
ADMINISTRATIVE REVIEW (74 FR 41123, 08/14/2009). FOR ALL OTHER
SHIPMENTS OF CERTAIN PRESERVED MUSHROOMS FROM THE PEOPLE'S
REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED,
CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING
DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED
BY THIS INSTRUCTION

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR

ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF
SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES
THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON
UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED
ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS
POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF
PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED
ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION.
THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT
UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954
FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:DC)

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party